

ASSEMBLY BILL

No. 1525

**Introduced by Assembly Member Cook
(Coauthor: Assembly Member Portantino)**

February 23, 2007

An act relating to private postsecondary education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1525, as introduced, Cook. Private postsecondary education.

(1) The Private Postsecondary and Vocational Education Reform Act of 1989 generally sets minimum standards of instructional quality, ethical and business practices, health and safety, and fiscal responsibility for private postsecondary and vocational educational institutions, as defined. The act establishes the Bureau for Private Postsecondary and Vocational Education in the Department of Consumer Affairs. Existing law requires the bureau, among other things, to review and investigate all institutions, programs, and courses of instruction approved under the act.

The act establishes the Private Postsecondary and Vocational Education Administration Fund and the continuously appropriated Student Tuition Recovery Fund. The act specifies that certain violations of its provisions are subject to civil penalties and that certain willful violations of the act are punishable as crimes. A provision of the act provides for it to become inoperative on July 1, 2007, and provides for its repeal on January 1, 2008.

The bill would express the intent of the Legislature to provide for the protection of the interests of students who, and institutions which, have

pending matters, or any other pending business, before the bureau as of June 30, 2007.

The bill would require that each matter, as defined, pending before the bureau as of the close of business on June 30, 2007, be deemed to remain pending before the bureau or a successor agency as of January 1, 2008, irrespective of any applicable deadlines. With respect to any deadline applicable to a pending matter, the bill would require that no time be deemed to have elapsed between July 1, 2007, and December 31, 2007. The bill would require that any institution, program, or course of study that is approved by the bureau as of the close of business on June 30, 2007, be deemed to be approved as of January 1, 2008, irrespective of any applicable conditions, deadlines, or additional requirements. The bill would also require that, with respect to any deadline applicable to the approval or conditional approval of an institution, program, or course of study, no time shall be deemed to have elapsed between July 1, 2007, and December 31, 2007.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) It is the intent of the Legislature to provide,
2 through the enactment of subdivision (b), for the protection of the
3 interests of students and institutions having any matter pending
4 before the Bureau for Private Postsecondary and Vocational
5 Education as of June 30, 2007.
6 (b) Notwithstanding any other provision of law:
7 (1) Each matter pending before the Bureau for Private
8 Postsecondary and Vocational Education as of the close of business
9 on June 30, 2007, shall be deemed to remain pending before the
10 bureau or a successor agency as of January 1, 2008, irrespective
11 of any applicable deadlines. With respect to any deadline applicable
12 to a pending matter, no time shall be deemed to have elapsed
13 between July 1, 2007, and December 31, 2007. For the purposes
14 of this paragraph, “matter” includes, but is not necessarily limited
15 to, an appeal, a complaint, an evaluation, a hearing, or an
16 investigation.

1 (2) Any institution, program, or course of study that is approved
2 by the bureau as of the close of business on June 30, 2007, shall
3 be deemed to be approved as of January 1, 2008, irrespective of
4 any applicable conditions, deadlines, or additional requirements.
5 With respect to any deadline applicable to the approval, renewal
6 of approval, or conditional approval of an institution, program, or
7 course of study, no time shall be deemed to have elapsed between
8 July 1, 2007, and December 31, 2007.

9 SEC. 2. This act is an urgency statute necessary for the
10 immediate preservation of the public peace, health, or safety within
11 the meaning of Article IV of the Constitution and shall go into
12 immediate effect. The facts constituting the necessity are:

13 In order to provide for the protection of the interests of students
14 and institutions having matters pending before the Bureau for
15 Private Postsecondary and Vocational Education as of June 30,
16 2007, it is necessary that this act take effect immediately.